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8 *Attorney for Defendant*
9 *Gustavo Arechiga*

10 UNITED STATES DISTRICT COURT
11 DISTRICT OF NEVADA

12 UNITED STATES OF AMERICA,

2:19-cr-00129-JCM-DJA

13 Plaintiff,

**UNOPPOSED MOTION FOR
ORDER DIRECTING
DEPARTMENT OF PROBATION
TO PREPARE A PLEA-PLEA
PSR
(CRIMINAL HISTORY ONLY)**

14 vs.

15 GUSTAVO ARECHIGA, RAFAEL
16 MARTINEZ,

17 Defendants.

18 Certification: This motion is timely filed.

19 Comes now the defendant, Gustavo Arechiga, by and through his
20 counsel of record, William Brown, of BROWN MISHLER, PLLC, and hereby
21 moves this court for an order requesting the department of probation to
22 prepare a pre-plea PSR (criminal history only). This request is based on the
23 Points and Authorities attached hereto.
24

25 Dated: October 16, 2019

26 By /s/ William H. Brown
27 WILLIAM H. BROWN
28 Attorney for Gustavo Arechiga

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**MEMORANDUM OF
POINTS AND AUTHORITIES**

Counsel has discussed the case with his client, Gustavo Arechiga, and the different ways in which his criminal history may impact the sentence, if any, he may ultimately receive. Given the potential for Armed Career Criminal designation, counsel respectfully requests an order from this Court requesting the United States Probation Office (USPO) to prepare a “pre-plea¹ PSR,” detailing Arechiga’s prior convictions. Counsel does not seek preparation of a complete PSR, but rather what typically appears as “Part B” (Defendant’s Criminal History).


Counsel has communicated with USPO Officer Wendy Beckner, met with Beckner in person to review the criminal history information currently in the USPO’s possession, and discussed with Beckner the circumstances involved in this case necessitating the USPO’s pre-plea involvement. The government does not oppose preparation of a pre-plea PSR.

Dated: October 16, 2019

By /s/ William H. Brown
WILLIAM H. BROWN
Attorney for Gustavo Arechiga

IT IS SO ORDERED.

Dated: October 22, 2019



Daniel J. Albregts
United States Magistrate Judge

¹ This the customary nomenclature, and does not reflect Mr. Arechiga’s current intent to enter a plea in this case.

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That on October 16, 2019, he served an electronic copy of the above and foregoing **UNOPPOSED MOTION FOR ORDER DIRECTING DEPARTMENT OF PROBATION TO PREPARE A PLEA-PLEA PSR (CRIMINAL HISTORY ONLY)** by electronic service (ECF) to the person named below:

/s/ William Brown
Employee of BROWN MISHLER,
PLLC